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H.J.R. No. 135

A JOINT RESOLUTION

1 proposing a constitutional amendment providing for the
2 establishment of the Mental Health and Brain Research Institute of
3 Texas and establishing the Mental Health and Brain Institute
4 Research Fund for the purposes of scientific research of all forms
5 of mental health and human brain disease and disorders.

6 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Article III, Texas Constitution, is amended by
8 adding Section 68 to read as follows:

9 Sec. 68. (a) The legislature shall establish the Mental
10 Health and Brain Research Institute of Texas to:

11 (1) award grants to institutions of learning, advanced
12 medical research facilities, public or private persons, and
13 collaborations in this state to provide funds for:

14 (A) research into the causes of, means of
15 prevention of, and the treatment, rehabilitation, protocols, and
16 cures for:

17 (i) mental health and human brain-related
18 diseases, syndromes, disorders, dysfunctions, and injuries;

19 (ii) developmental issues;

20 (iii) neurological health issues;

21 (iv) behavioral health issues; and

22 (v) substance use disorders and other
23 addictions;

24 (B) research into other issues affecting mental

1 health and the human brain, including issues that directly or
2 indirectly affect or are affected by mental health or the brain or
3 brain health, such as the gut microbiome, nutrition, the spinal
4 cord, or the nervous system;

5 (C) research into the prevalence of the use of
6 psychoactive and psychotropic medications by veterans in this
7 state, including any connection to increased rates of suicide among
8 veterans who take a psychoactive or psychotropic medication;

9 (D) facilities, equipment, supplies, salaries,
10 benefits, and other costs related to brain research;

11 (E) research, including translational research,
12 to develop therapies, protocols, medical pharmaceuticals, or
13 procedures for the cure or substantial mitigation of all types of
14 brain diseases and disorders; and

15 (F) prevention programs and strategies to
16 mitigate the incidence of detrimental health impacts on the brain;

17 (2) support institutions of learning and advanced
18 medical research facilities and collaborations in this state in all
19 stages of the process of:

20 (A) discovering the causes of all types of:

21 (i) mental and behavioral health issues;

22 (ii) human brain-related diseases,
23 syndromes, disorders, dysfunctions, and injuries;

24 (iii) developmental issues; and

25 (iv) neurological health issues;

26 (B) developing therapies, protocols, medical
27 pharmaceuticals, or procedures for the cure or substantial

1 mitigation of mental health and brain diseases and disorders from
2 laboratory research to clinical trials; and

3 (C) developing programs to address access to
4 advanced treatment of mental health and brain diseases or
5 disorders; and

6 (3) establish the appropriate standards and oversight
7 bodies to ensure the proper use of funding authorized under this
8 section for brain research and facilities development.

9 (b) The members of the governing body and any other
10 decision-making body of the Mental Health and Brain Research
11 Institute of Texas may serve six-year terms.

12 (c) The Mental Health and Brain Institute Research Fund is
13 established as a special fund in the state treasury outside the
14 general revenue fund to be administered by the institute.

15 (d) On January 1, 2024, the comptroller shall transfer \$3
16 billion from the general revenue fund to the Mental Health and Brain
17 Institute Research Fund. The transfer made under this subsection
18 is not an appropriation of state tax revenues for the purposes of
19 Section 22, Article VIII, of this constitution. This subsection
20 expires January 1, 2025.

21 (e) The Mental Health and Brain Institute Research Fund
22 consists of:

23 (1) money transferred to the fund under this section;

24 (2) money appropriated, credited, or transferred to
25 the fund by the legislature;

26 (3) gifts and grants, including grants from the
27 federal government, and other donations received for the fund;

1 (4) patent, royalty, and license fees and other income
2 received under a contract entered into by the Mental Health and
3 Brain Research Institute of Texas; and

4 (5) investment earnings and interest earned on amounts
5 credited to the fund.

6 (f) Notwithstanding any other provision of this
7 constitution, the Mental Health and Brain Research Institute of
8 Texas, as established by general law, may use money in the Mental
9 Health and Brain Institute Research Fund only for the purpose of
10 funding:

11 (1) grants in this state for mental health and brain
12 research, research facilities, and research opportunities in this
13 state to develop therapies, protocols, medical pharmaceuticals, or
14 procedures for the cure, substantial mitigation, or prevention of
15 brain diseases or disorders;

16 (2) grants for the prevention of mental and behavioral
17 health issues and substance use disorders and other addictions, and
18 brain disease and disorder prevention to mitigate the incidence of
19 all types of brain diseases or disorders in humans;

20 (3) the purchase, construction, or renovation,
21 subject to approval by the institute, of facilities by or on behalf
22 of a state agency or grant recipient; and

23 (4) the operation of the institute.

24 (g) Before the Mental Health and Brain Research Institute of
25 Texas may award a grant under this section, the recipient of the
26 grant must have an amount of funds equal to one-half the amount of
27 the grant dedicated to the research that is the subject of the grant

1 request.

2 (h) The reasonable expenses of managing the fund's assets
3 shall be paid from the fund.

4 SECTION 2. This proposed constitutional amendment shall be
5 submitted to the voters at an election to be held November 7, 2023.
6 The ballot shall be printed to permit voting for or against the
7 proposition: "The constitutional amendment requiring the creation
8 of the Mental Health and Brain Research Institute of Texas,
9 establishing the Mental Health and Brain Institute Research Fund to
10 provide funding for mental health and brain research in this state,
11 and transferring general revenue to that fund."